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SENATE BILL 2641 By  
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HOUSE BILL 2636  
By McDaniel

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, relative to care of nursing home patients.

WHEREAS, managed health care organizations and other statewide provider networks often have no participating physicians in some geographical areas; and

WHEREAS, rural communities in Tennessee often have few if any medical specialists practicing in such communities, and patients requiring specialized care and procedures are routinely transferred to larger, more urban facilities for care; and

WHEREAS, the condition of such patients is more fragile than other patients and such patients are considerably more likely to decompensate rapidly and require emergency intervention; and

WHEREAS, the transferring facility has superior access to medical records and test results for these patients and are more familiar with prior treatment regimens; now, therefore,  
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 7, is amended by adding the following as an appropriately designated new section:

Section 68-11-7\_\_.

(a) If an acute care facility or hospital releases from its care a patient, including a patient covered by a managed care organization participating in the TennCare program, requiring skilled, specialized aftercare to an out-of-county nursing facility and such patient subsequently decompensates within a period of fourteen (14) days, such acute care facility or hospital shall readmit such patient if such patient's condition and medical needs become inappropriate for nursing home care and local community medical resources are inadequate to provide continuity of care at a level necessary to properly treat such patient.

(b) If a patient transferred to a nursing facility requires specialized follow-up care, such follow-up plan shall be furnished to the transfer facility prior to transfer and shall include contingency plans in the event such patient's condition deteriorates.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.